

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States District Court
Southern District of Texas
FILED

CRIMINAL COMPLAINT

Rolando Chapa-Rodriguez

Principal

SEP 27 2016

Case Number:

YOB: 1980

the United Mexican States

David J. Bradley, Clerk

M-16-1789-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 25, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Irzan Leonel Escobar-Villatoro, citizen and national of El Salvador and Cristobal Tuy-Balan, citizen and national of Guatemala, along with eleven (11) other undocumented aliens, for a total of thirteen (13), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 24, 2016, Border Patrol Agents assigned to the Rio Grande Valley (RGV) Field Intelligence Team (FIT) received information from Falfurrias Intelligence Agents regarding a possible stash house located at 3011 West Business 83 Unit 12 in McAllen, Texas. The information was obtained during a debrief of an apprehended illegal alien. The illegal alien provided a description of the vehicle involved in transporting illegal aliens as a red or maroon Chevrolet Tahoe.

FIT Agents began surveillance at the suspected stash house, located at 3011 West Business 83 Unit 12 in McAllen, Texas, on September 24, 2016. On September 25, 2016, FIT Agents continued their surveillance and witnessed a maroon GMC Yukon arrive to the stash house and depart shortly after. Agents followed the Yukon to a taco stand in Mission, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by David A. Lindeman

9/27/16

Sworn to before me and subscribed in my presence,

September 27, 2016

Date

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Complainant

Jon M. Chan

Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1789-M

RE: Rolando Chapa-Rodriguez

CONTINUATION:

Agents observed the occupants depart the taco stand with bags of food. Agents requested assistance from the Hidalgo County Sheriff's Office with a traffic stop. Deputy Cano conducted a traffic stop on the Yukon and issued a warning for speeding. Agents approached the traffic stop and questioned the driver, Rolando CHAPA-Rodriguez, who was traveling with his wife and two kids. CHAPA stated he and his family were all illegally present in the United States. CHAPA was questioned about the suspected stash house and stated that there were thirteen illegal aliens at the suspected stash house. Agents then advised CHAPA of his Miranda Rights, placed CHAPA under arrest and transported him to the Weslaco Border Patrol Station.

Agents requested the assistance of the McAllen Police Department to conduct a knock and talk at the suspected stash house. As the agents and police officers arrived, they observed four people running from outside of the suspected stash house. Two of the four people were apprehended. As agents were searching for the two missing people an agent noticed an open door to a storage room next to the suspected stash house. The agent noticed several people attempting to hide and asked the people to step out of the room. A total of eleven people exited the room. All thirteen people were questioned as to their citizenship and admitted to being illegally present in the United States. All thirteen people were placed under arrest and transported to the Weslaco Border Patrol Station for processing.

Principal Statement:

Rolando CHAPA-Rodriguez, a citizen and national of the United Mexican States was advised of his Miranda Rights. CHAPA stated he understood his rights and agreed to answer any questions without the presence of an attorney.

CHAPA stated he crossed into the United States illegally by raft in October of 2015, near Hidalgo, Texas. CHAPA further stated he began working smuggling illegal aliens approximately a month and a half ago and he has smuggled approximately eight-five illegal aliens in that time frame. CHAPA would get paid 80.00 USD to transport and feed the illegal aliens. CHAPA would also receive an additional 150.00 USD to buy food and water for the illegal aliens at the stash house.

Material Witness Statement #1:

Irzan Leonel ESCOBAR-Villatoro, a citizen and national of El Salvador, was advised of his Miranda Rights. ESCOBAR stated he understood his rights and agreed to answer any questions without the presence of an attorney.

ESCOBAR stated he made his brother made his smuggling arrangements in El Salvador and paid a portion of the 11,500.00 USD he was being charged. ESCOBAR was to pay the rest once he arrived to Virginia. After illegally crossing into the United States, ESCOBAR was picked up and eventually transported to the house he was apprehended in. ESCOBAR was transported to the house by the owner of the house.

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CONTINUATION:

ESCOBAR claimed the male subject took 200.00 USD from him and fed him once a day.

ESCOBAR positively identified Rolando CHAPA-Rodriguez as the caretaker and the driver that transported him to the stash house.

Material Witness Statement #2:

Cristobal TUY-Balan, a citizen and national of Guatemala, was advised of his Miranda Rights. TUY stated he understood his rights and agreed to answer any questions without the presence of an attorney.

TUY made his smuggling arrangements with an unknown smuggler and was charged 30,000.00 Quetzals. TUY crossed the Rio Grande River in a raft with a group of people was led by one guide. TUY stated he was picked up in a red SUV and transported to the house he was apprehended in. TUY further stated that the driver of the SUV told them to get in, to lay down and to not look up. TUY claimed the driver of the SUV also brought the group food and other necessities to the stash house.

TUY positively identified Rolando CHAPA-Rodriguez as the driver of the red SUV and the person who would bring the group food.